

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TYLER DIVISION**

BLUE SPIKE, LLC

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§

§

v.

§ Case No. 6:12-cv-499

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TEXAS INSTRUMENTS, INC.

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**ORDER GRANTING DISMISSAL FOR LACK OF PERSONAL JURISDICTION**

Now before the Court is Defendants TVTak Ltd. and TVTak USA, Inc.’s motion to dismiss for lack of personal jurisdiction and improper venue (Doc. No. 356). Defendants assert—supported by affidavit—that they are not Texas corporations, their employees do not live or work in Texas, and they do not engage in any business activity in Texas. Defendants claim their customers are all outside of the United States and they are not registered to do business in Texas. Accordingly, Defendants argue that this Court does not have personal jurisdiction.

Plaintiff failed to file a response to Defendants’ motion to dismiss. Under this Court’s local rules, the Court will assume from a party’s failure to respond that the party has no opposition to the requested relief. Local Rule CV-7(e).

In view of the facts asserted in the motion and supported by affidavit and Plaintiff’s failure to respond, the Court GRANTS Defendants TVTak Ltd. and TVTak USA, Inc.’s motion to dismiss for lack of personal jurisdiction and improper venue (Doc. No. 356). Accordingly,

Plaintiff's claims against Defendants TVTak Ltd. and TVTak USA, Inc. are dismissed without prejudice.

**It is SO ORDERED.**

**SIGNED this 27th day of September, 2013.**

A handwritten signature in black ink, reading "Michael H. Schneider", written over a horizontal line.

MICHAEL H. SCHNEIDER  
UNITED STATES DISTRICT JUDGE